

# Road Modification Review

Handout #73 Revised 03/01/04



## What is a Road Modification?

A Road Modification (or "Road Mod") allows for a change in the transportation standards where it can be demonstrated that certain standards cannot be met.

## Are there different types of Road Modifications?

Yes. There are two types of Road Modifications. The "Design Modification" deals with vertical and horizontal design and safety related issues, which include the following:

1. Reduced sight distances;
2. Vertical alignment;
3. Horizontal alignment;
4. Geometric design (i.e., length, width, bulb radius, etc.);
5. Design speed;
6. Crossroads;
7. Access policy; and,
8. A proposed alternative design providing a superior plan to the transportation and all other standards.

The "Administrative Modification" deals with the construction of facilities, which include the following:

1. Surface materials for roads or pedestrian facilities;
2. Asphalt and/or base rock thickness less than required;
3. Pavement marking layout;
4. Exceeding the maximum street grade;
5. Type and/or location of signage;
6. Channelization;
7. Intersection interior angles and curb radii less than required;
8. Utilizing the current set of standards in lieu of the standards that were in place when the applicant's proposed project was vested;
9. Access-related modifications onto collectors and state routes PROVIDED other substantive criteria such as sight distance and limited access points are met and PROVIDED FURTHER that access to a lesser classification of road is not available;
10. Field changes during construction; and,
11. Similar revisions to the standards.

## What are the approval criteria for road modifications?

In order for the County to approve a Road Modification request, one of the following conditions must be met:

1. Topography, right-of-way, existing construction or physical conditions, or other geographic conditions imposing an unusual hardship on the applicant, and an equivalent alternative, which can accomplish the same design purpose, is available;

2. A minor change to a specification or standard is required to address a specific design or construction problem which, if not enacted, will result in an unusual hardship;
3. An alternative design is proposed which will provide a plan equal to or superior to these standards; and,
4. Application of the transportation standards to the development would be grossly disproportional to the impacts created.

For crossroad and frontage construction and right-of-way dedications, Road Modification applications shall include information indicating whether there are geographic or other factors that would render connection/completion of the roads unlikely.

In reviewing the modification request, consideration will be given to public safety, durability, cost of maintenance, function, appearance, and other appropriate factors, such as to advance the goals of the Comprehensive Plan as a whole. Any modification shall be the minimum necessary to alleviate the hardship or disproportional impact. Self-imposed hardships shall not be used as a reason to grant a modification request.

#### **Is a pre-application conference required?**

No. A pre-application conference is not required for a Road Modification request.

#### **What is the application process and how much does it cost?**

A request for a Design Road Modification must be proposed in conjunction with the application for the underlying development proposal (e.g., subdivision or site plan). In addition to the underlying development review fee, a Road Modification fee is required.

A request for a Design Road Modification after the underlying development proposal has received preliminary plan approval, must be processed as a "Post Decision Review." (See: Handout #70 Post Decision Review). In addition to the Post Decision Review Fee, a Road Modification fee is required.

A request for a Design Road Modification that is not associated with a development proposal (e.g., driveway location for a single-family or certain public roadway projects), does not require an associated "Post Decision Review." A Road Modification fee is required.

A request for an Administrative Road Modification may be submitted to Community Development at any time, and must include sufficient technical analysis to enable a reasonable decision. The County will provide a written decision. There is no fee for an administrative modification.

The submittal requirements for a design modification are attached.

#### **What if I didn't submit all of the required information?**

The County conducts two application checks to ensure that applications are complete before staff begins their development review process. Prior to accepting your application, the Customer Service staff will conduct a "**Counter Complete**" review of your submittal package. This initial review ensures that **all items with a bold underlined space** listed within the submittal requirements have been submitted before accepting your application (see attached submittal list). These include:

1. Application Form
2. Application Fee
3. Narrative
4. Proposed Plan
5. Engineering Analysis

Once your application is accepted, the original submittal package is routed to our review staff. Staff conducts a second completeness check, known as the “**Fully Complete**” review. This more detailed review ensures that **all items with a box to the left** listed under the numbered headings of the attached “Design Road Modification Submittal Requirements” have been submitted. As an example, does the “Proposed Plan” show “Applicable existing conditions”, “Utilities”, etc.

If required items are missing from your original submittal, you will receive a letter of “**Not** Fully Complete,” with a list of the missing items. If you have not submitted the requested information within 30 days of this written request, staff will return your application and refund the application fee, less the processing costs incurred to date.

If **all** of the submittal requirements have been met, the applicant will be directed to submit five (5) additional copies that contain the revisions and additional information required to be Fully Complete. Once all Fully Complete copies have been received, you will receive a “Fully Complete” determination letter and be vested on the date you submitted the Fully Complete application.

#### **When will I receive a decision on my application?**

A decision on a Design Road Modification will be issued in conjunction with the underlying development proposal.

#### **Can the decision be appealed?**

The County Engineer's decision may be appealed to the County Hearings Examiner by the applicant or any person or group. An appellant must submit an appeal application and **\$1,460.00** fee within 14 calendar days after the written notice of the decision is mailed.

The Hearing Examiner's decision may be appealed to the Board of County Commissioners by the applicant or party of record (i.e., someone who presented written or verbal testimony, or signed the hearing sign-in sheet on the specific application). An appellant must submit an appeal application and **\$279** fee within 14 calendar days after the written notice of the decision is mailed.

**Note:** This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code, Section 40.550.010 Transportation.

**ENGINEERING SERVICES**  
☐ **ADMINISTRATIVE**  
**OR**  
☐ **DESIGN**  
**ROAD MODIFICATION APPLICATION**  
**SUBMITTAL REQUIREMENTS**

The following checklist identifies information to be included with the Application. All items with a bold underlined space (i.e.,     ) must be submitted before the application will be considered "**Counter Complete**." All items with a box to the left must be submitted before the application will be determined "**Fully Complete**." All bulleted items must be submitted, as applicable, but are not a "Fully Complete" requirement.

At the time of application, only **one copy of the main submittal** with original signatures, **shall be submitted and bound by a jumbo clip or rubber band**. One copy of any **special studies** (e.g., wetland, floodplain, etc) **shall also be submitted but bound separately**.

Once the original application contains all the required information, the applicant will be contacted to submit additional copies of the main submittal and any special studies with revisions.

1.      **APPLICATION FORM** - The application form shall be completed and original signed in ink by the applicant.
2.      **APPLICATION FEE (Design Modification only)** - The requisite fee for the Road Modification shall accompany the application. The check is to be made payable to "Clark County Community Development".
3.      **NARRATIVE** - A written narrative shall be included presenting facts that demonstrate why the proposed road modification(s) satisfies one of the four approval criteria.
4.      **PROPOSED PLAN** - A plan or map, drawn to scale, shall be submitted that shows the following (Note: These items may be included within the primary application submittal [i.e., subdivision or site plan application], but must be referenced within the road modification application by document and page number.)
  - ☐ Significant trees, lakes, streams, and rivers;
  - ☐ Utilities;
  - ☐ Property lines;
  - ☐ Existing and projected traffic patterns; and,
  - ☐ Any unusual or unique conditions not generally found in other developments.
5.      **ENGINEERING ANALYSIS** (for modifications based upon alleged disproportionality) - In the case of modification requests based upon alleged

disproportionality, an engineering analysis of the standard sought to be modified must be submitted. This analysis must contrast relevant traffic impacts from the development with the cost of complying with the standard,

## 6. SUBMITTAL COPIES:

\_\_\_\_ One copy of the main submittal, bound by a jumbo clip or rubber band, with original signatures; and,

\_\_\_\_ One copy of any special studies (e.g., wetland, floodplain, etc) and bound separately.

When all required information is submitted with the original application, the applicant will be directed to submit five (5) additional individually bound copies of the main submittal, including copies of the "Developer's GIS Packet". The applicant will also be directed to submit additional individually bound copies of any special studies as identified below. These copies must contain any revisions or additional information required in the Fully Complete review, and be bound using jumbo clips, stapled, comb or spiral binding, etc.

Copies of any special studies (as identified within the "Pre-Application Report") as following:

- ☐ 1 original and 3 copies – Archeological Pre-Determination Report
- ☐ 1 original - Archeological Study
- ☐ 1 original and 3 copies - Traffic Study and Road Modification requests
- ☐ 1 original and 2 copies of all other special studies or permits to include: Critical Aquifer Recharge Areas (CARA), floodplain, geo-hazard, habitat, shoreline, stormwater, erosion control plan, and wetland).

\_\_\_\_ Include reduced copies of 11" x 17" for all sheets larger than 11" x 17."

### Staff Notes:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

This application was determined to be Counter Complete on: \_\_\_\_/\_\_\_\_/\_\_\_\_

Community Development Specialist: \_\_\_\_\_

## **Road Modification Fees**

Appeal to hearings examiner:	\$1,460
Design modification (Type I or II) – Prior to public hearing:	\$1,460
Design modification (Type III) – Prior to public hearing:	\$1,460
Design modification (Type I or II) after public hearing: (In addition to post decision review fee)	\$1,832
Design modification (Type III) – After public hearing: (In addition to post decision review fee)	\$3,282

Fire Marshal Review:	\$223
----------------------	-------

**Department of Community Development  
1300 Franklin Street  
P.O. Box 9810  
Vancouver, WA 98666-9810  
Phone: (360) 397-2375; Fax: (360) 397-2011  
Web Page at: <http://www.clark.wa.gov>**